

REMARKS

Applicants have amended the claims to cancel SEQ ID NO: 3, which was restricted from SEQ ID NOs: 1 and 2. Accordingly, the only peptide sequences now claimed are SEQ ID NOs: 1 and 2, which are both sequences of Group I. In response to the restriction requirement mailed August 27, 2003, applicants elect with traverse Group I, drawn to peptide SEQ ID Nos. 1 and 2.

Under the *Ochiai* guidelines, applicants respectfully request examination of dependent method claims 4 and 5, which depend from claim 1, the sole independent claim. Applicants further contend that the three presently pending claims can be examined without a serious burden on the Examiner. Further, applicants contend that contrary to the Examiner's assertion, SEQ ID NOs: 1 and 2 do share a common structure (SEQ ID NO: 2 is a subset of the amino acids of SEQ ID NO: 1) that elicit a common activity (immunological enhancement). Therefore, restriction among the product claim of Group I and the method claims of Groups III and V is improper.

Applicants also note that the assignee, Imogene Co. Ltd., is a small entity of limited resources. Accordingly, forcing the assignee to incur the costs of filing six separate patent applications off of the present claims would impose a significant financial burden.

For the reasons given above, applicants respectfully request withdrawal of the restriction requirement of Groups I, III and V and examination of all of the pending claims.

Applicants await an Office Action on the merits. The Examiner is invited to contact the undersigned by telephone, if it is felt that an interview would advance prosecution.

Respectfully submitted,

Date October 21, 2003

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